

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

***In re* FLINT WATER CASES**

**Civil Action No. 5:16-cv-10444-JEL-  
(consolidated)**

**Hon. Judith E. Levy**

**REPORT OF THE SPECIAL MASTER REGARDING THE FIVE  
INDIVIDUALS NAMED IN THE HALL OBJECTORS' MOTION FOR  
COMPLIANCE**

On July 27, 2021, the Court entered an Order Regarding Post-Hearing Matters and Ordering Response to Hall Objectors' Motion for Compliance (ECF No. 1915) ("July 27 Order"). The July 27 Order stated, *inter alia*, that "the *Hall* objectors filed a motion for compliance with Rule 23(e) (ECF No. 1908)," and ordered that "the Special Master, who maintains census information, set forth in a report the status of the five individuals named in the Hall objectors' motion. Specifically, whether these five individuals are included on the current version of Exhibit 1a or 1b." July 27 Order, PageID.67193-94.

As noted by the Court, the Special Master maintains census information, which has been provided to the Special Master pursuant to the November 14, 2018 Amended Order Regarding the Collection of Claim Data (ECF No. 673) ("Census Order"). The Census Order requires that "Reporting Counsel" as defined in the

order<sup>1</sup> provide data as specified therein for the following plaintiffs, persons or entities (hereinafter referred to as “Covered Claims”):

(a) all plaintiffs who are named in any case included in *In re Flint Water Cases*; (b) all named plaintiffs in any case pending in the Eastern District of Michigan asserting claims of injury or damage resulting from the Flint water contamination; (c) all named plaintiffs in any action pending in Genesee County Circuit Court or the Michigan Court of Claims asserting injury or damage resulting from the Flint Water contamination; and (d) all persons (including entities) who have entered into an engagement or retainer agreement with a Reporting Counsel with respect to the Flint water contamination but who have not yet filed any action.

Census Order, ECF No. 673, PageID.19491. The Census Order states that Reporting Counsel provide the first report on or before December 28, 2018 and provide updated reports at 45-day intervals thereafter including additional information pertaining to claimants listed on previous reports and information about newly-retained clients. *Id.* at PageID.19491-92. The Census Order further requires that to the extent “more

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<sup>1</sup> The Census Order defines Reporting Counsel as follows:

This Order applies to: (a) all counsel who are listed as counsel of record for any plaintiff in any case in *In re Flint Water Cases* – including any counsel who become counsel of record after the date of this Order; (b) any counsel who has entered an appearance for any plaintiff in any legal action related to the Flint water contamination in the Eastern District of Michigan; (c) any counsel who has a fee interest with respect to plaintiffs in any case in *In re Flint Water Cases*; and (d) any counsel who is a Participating Counsel as defined in the Case Management Order Regarding Time and Expenses (Dkt. 507) (collectively, such counsel shall be defined as “Reporting Counsel.”)

*Id.* at PageID.1940-91.

than one firm represents a plaintiff or prospective plaintiff, counsel shall designate one firm as the Reporting Counsel.” *Id.* at PageID.19492.

Pursuant to the Census Order, the Special Master established individual secure sites for Reporting Counsel to post reports. On an ongoing basis, since December 2018, the Special Master has continued to incorporate new Covered Claims submitted pursuant to the Census Order and incorporate updates to data and additional information submitted on Covered Claims previously submitted in existing reports. The Special Master has also undertaken detailed reviews of claims to identify potential duplication of claims submitted pursuant to the Census Order and to address apparent inconsistencies or changes in the submissions. The Special Master issues periodic reports to Reporting Counsel on their claims, seeking clarifications, corrections, and further information to address potential duplication. From time to time Reporting Counsel have advised the Special Master of inadvertent administrative errors in lists and then have submitted corrected lists. The Special Master requires Reporting Counsel to provide the date on which counsel was retained for each claimant that is identified as a potential duplicate with a claimant submitted by a different Reporting Counsel.

On January 21, 2021, the Court issued its *Opinion and Order Granting Plaintiffs’ Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components [ECF No. 1318]* and

*Granting Plaintiffs' Motion for an Order Adopting the Proposed Motion for Approval of Wrongful Death Settlement [ECF No. 1334], ECF No. 1399 ("Order").*

Pursuant to the Amended Settlement Agreement as filed on November 18, 2020 (ECF No. 1319-1), the Special Master prepared listings of adults or entities that had been submitted to the Special Master by Reporting Counsel pursuant to the Census Order and that had been reviewed and compiled by the Special Master (as described above) as of early November 2020. Certain submissions received within approximately one week prior to November 18 were not included in the listing because they had not yet been reviewed and incorporated into the master census list. Since many submissions did not include a valid date of birth, the Special Master prepared two lists: (i) those with an identified date of birth to indicate that the individual was 18 or older, who were included in Exhibit 1a, and (ii) those without a valid date of birth, who were included in Exhibit 1b to be filed under seal in the event such individuals were actually minors. On November 18, 2020, Exhibit 1a was filed as an exhibit to the Declaration of Theodore L. Leopold in Support of Plaintiffs' Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components (*see* ECF No. 1319-2). On November 17, 2020, Exhibit 1b was filed under seal (*see* ECF No. 1317; ECF No. 1319-3).

As the Court's July 27 Order notes, "[a]s set forth in the exhibits themselves, the versions filed in November 2020 are, '[p]reliminary and subject to change' (ECF No. 1319-2, PageID.40414.)" and "[t]he Special Master maintains the current versions of these exhibits." July 27 Order, PageID.67194 n.1.

As required by the Census Order, Reporting Counsel have continued to submit reports to the Special Master including additional or corrected information pertaining to claimants listed on previous reports and information about newly-retained clients, and the Special Master has continued to compile and update information with new claims and updated data received on existing claims. On May 3, 2021, the Special Master provided Archer Systems, LLC, the Claims Administrator under the Amended Settlement Agreement, with a complete list of claims that had been submitted to the Special Master pursuant to the Census Order and compiled by the Special Master as of late April 2021 (the "May 3 Updated Census List"). The Special Master is currently preparing an updated list to incorporate data received by the Special Master pursuant to the Census Order since the end of April.

Pursuant to the Court's July 27 Order, the Special Master has reviewed the status of the five individuals named in the Hall Objectors' Motion for Compliance with Rule 23(e)(5)(B) (ECF No. 1908): Christiana Ayedele (or Ayodele); Victor Ayedele (or Ayodele); Amanda Kreuyer (or Krueyer); Johannes Kreuyer (or

Krueyer); and Sequoia Overstreet. *See id.* at PageID.67194. Each of these five individuals are included in the May 3 Updated Census List and each are included on the current update to the Exhibit 1 list. Additionally, both Christiana Ayodele and Victor Ayodele were included in Exhibit 1b which was filed under seal on November 17, 2020.<sup>2</sup>

Respectfully submitted,

Date: July 29, 2021

/s/ Deborah Greenspan  
Deborah E. Greenspan  
Special Master  
BLANK ROME LLP  
Michigan Bar # P33632  
1825 Eye Street, N.W.  
Washington, DC 20006  
Telephone: (202) 420-2200  
Facsimile: (202) 420-2201  
[DGreenspan@blankrome.com](mailto:DGreenspan@blankrome.com)

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<sup>2</sup> Additionally, Johannes Kreuyer was included in the Special Master's census in 2018 and 2019 – but was omitted from lists provided by counsel as of early November 2020. This individual was again included in lists provided by counsel after the November 2020 list was prepared.

**CERTIFICATE OF SERVICE**

I certify that on July 29, 2021, I electronically filed the foregoing document with the Clerk of the Court using the Court's ECF system, which will send notification of such filing to attorneys of record.

Date: July 29, 2021

/s/ Deborah E. Greenspan

Deborah E. Greenspan

Special Master

BLANK ROME LLP

Michigan Bar # P33632

1825 Eye Street, N.W.

Washington, DC 20006

Telephone: (202) 420-2200

Facsimile: (202) 420-2201

[DGreenspan@blankrome.com](mailto:DGreenspan@blankrome.com)